United Nations CED/C/SR.139

International Convention for the Protection of All Persons from Enforced Disappearance

Distr.: General
8 September 2015

Original: English

Committee on Enforced Disappearances
Ninth session

Summary record (partial)* of the 139th meeting
Held at the Palais des Nations, Geneva, on Monday, 7 September 2015, at 10 a.m.

Temporary Chairperson: Mr. Walker (Office of the United Nations High Commissioner for Human Rights)
Chairperson: Mr. Decaux

Contents

Opening of the session

Solemn declaration by the newly elected members of the Committee

Election of officers

Adoption of the agenda

Minute of silence in remembrance of victims of enforced disappearances

* No summary record was prepared for the rest of the meeting.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of the present document* to the English Translation Section, room E.6040, Palais des Nations, Geneva (trad_sec_eng@unog.ch).

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.15-15177 (E) 081915 080915

Please recycle

The meeting was called to order at 10.05 a.m.

Opening of the session

1. **The Temporary Chairperson** declared the ninth session of the Committee on Enforced Disappearances open.

Statement by the United Nations High Commissioner for Human Rights

2. **Mr. Al Hussein** (United Nations High Commissioner for Human Rights) said that he wished to begin by expressing his admiration and support for the work that the Committee had done since its establishment four years previously. Although the Convention had its roots in the horrific practices of dictatorships in Latin America in the 1970s and 1980s, it was still extremely relevant, not least because people continued to be disappeared in many countries with the direct or indirect involvement of the State.

3. New patterns of enforced disappearance were emerging, with new types of perpetrators targeting a much broader range of victims. There were large numbers of disappearances in States that were experiencing internal conflict, such as the Syrian Arab Republic and Iraq. In other States, practices such as secret detention and extraordinary renditions were used to perpetrate enforced disappearances in the name of fighting terrorism, in clear violation of the Convention and of the commitments made by States parties.

4. People were also being disappeared on a massive scale by non-State actors, including paramilitary groups, militias and organized criminal gangs, sometimes with the connivance or tolerance of the State. In several of the world's most brutal and chaotic conflicts, however, abuses that were perpetrated without the connivance of the State were so grave that they had to be considered tantamount to enforced disappearances. Non-State actors might be motivated by the goal of wiping out religious or social diversity or by the urge to seize land and goods from their victims; the so-called ISIL group was just one example in that regard. The persons who had framed the Convention had been prescient in including article 3, which held States parties responsible for investigating acts that were tantamount to enforced disappearances.

5. In addition to new patterns of enforced disappearance and new types of offenders, there were new types of victims, notably migrants, whose rights the international community was failing to protect. While the international community's attention was being drawn to the situation in the Mediterranean and the Balkans, it should not be forgotten that similar situations were occurring all over the world. Migrants too often met with exploitation, discrimination and violence, as well as harshly enforced refusals to permit entry. They endured unbelievable suffering and ran a high risk of becoming victims of severe human rights violations at the hands of the authorities of the countries that they tried to enter. In many cases, they fell into the hands of human traffickers. He therefore wished to exhort the Committee to continue to make active use of article 16 of the Convention, which forbade the expulsion, refoulement, surrender or extradition of persons, including migrants, who could be in danger of enforced disappearance.

6. New challenges demanded new strategies for fighting impunity, protecting disappeared persons and their families, and strengthening the guarantees provided by the rule of law. The Convention served as a sound foundation upon which to undertake those tasks, and the Committee's efforts to secure its implementation were vital. As the newest of the treaty bodies, the Committee had shown a remarkable ability to innovate and was making the best use of such tools as the Convention's urgent action

procedure under article 30. He was heartened by the Committee's contemporary reading of the Convention and by its decision to devote two thematic discussions to non-State actors. He wished to encourage the Committee to maintain its focus on that issue in its future proceedings.

7. Victims increasingly counted on the support of the Committee in the search for their loved ones and in their efforts to secure the prosecution and punishment of perpetrators and to pierce the veil of impunity and obtain reparation. Despite the fact that many family members were too afraid or did not know how to seek help from international mechanisms, the Committee had received a growing number of requests to help find people who had disappeared. Thanks to the Committee's responsiveness, five persons had been located in 2015. Two, sadly, had been found dead, but three others had been discovered in detention and one of those had since been released. For five families, at least, the unspeakable anguish of not knowing the fate of their loved ones had come to an end.

8. The Committee's work could literally be life-saving, and its mandate was extremely sensitive, which was why it was essential for members to meet the highest standards of ethics, competence, independence and impartiality, as required by article 26 of the Convention. The Committee had been exemplary in swiftly adopting the Addis Ababa guidelines in 2012, and the opening of the session provided a timely opportunity to reflect on their relevance. He wished the Committee well in the challenging work that lay ahead and looked forward to receiving updates on its discussions.

The meeting was suspended at 10.15 a.m. and resumed at 10.20 a.m.

Solemn declaration by the newly elected members of the Committee

9. In accordance with rule 11 of the Committee's rules of procedure, **Ms. Galvis Patiño** and **Mr. Figallo Rivadeneyra** made the following solemn declaration:

> "I solemnly declare that I shall perform my duties and exercise my powers as a member of the Committee on Enforced Disappearances independently, objectively, honourably, faithfully, impartially and conscientiously."

Election of officers

10. In accordance with rule 15 of the Committee's rules of procedure, Mr. Emmanuel Decaux (France) was re-elected Chairperson of the Committee. Ms. Suela Janina (Albania) was re-elected Vice-Chairperson and Mr. Santiago Corcuera Cabezut (Mexico) and Mr. Kimio Yakushiji (Japan) were elected Vice-Chairpersons. Mr. Juan José López Ortega (Spain) was elected Rapporteur.

11. *Mr. Decaux took the Chair.*

Adoption of the agenda

12. *The provisional agenda (CED/C/9/1) was adopted without amendment.*

Minute of silence in remembrance of victims of enforced disappearances

13. *At the invitation of the Chairperson, the members of the Committee observed a minute of silence in remembrance of victims of enforced disappearances.*

The discussion covered in the summary record ended at 10.35 a.m.